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Governor

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Indiana State Department of Health

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Readoption Review

Motor Fuel 410 IAC 12.1

In 1996, the Indiana General Assembly enacted IC 4-22-2.5, to establish automatic expiration of any rule in effect for more than seven years, and to create a streamlined method for readoption of such rules without change. IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business. In accordance with IC 4-22-2.5 the rule must be readopted if it is to remain in effect.

Description of Rule:

These rules provide for the inspection of motor fuels for octane standards, labeling requirements, and registration of a motor fuel outlet.

Readoption Analysis:

1) Is there a continued need for this rule?

Yes, the need for this rule has not changed.

2) What are the nature of any complaints or comments received from the public, including small business, concerning this rule or the implementation of this rule by the agency?

There have been no complaints or comments from the public or small business concerning this rule or the implementation of this rule by the ISDH.

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3) Examine the complexity of this rule, including difficulties encountered by the agency in administering this rule and small businesses in complying with this rule.

No complaints or comments have been received from small business about this rule or the implementation of it and the ISDH is not aware of any difficulties in administration of or compliance with this rule.

4) To what extent does this rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?

This rule does not overlap, duplicate, or conflict with any other federal, state, or local laws, rules, regulations, or ordinances.

5) When was the last time this rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?

The last formal review of this rule occurred in 2000 in anticipation of the first application of IC 4-22-2.5. Relevant factors have not changed the necessity for this rule.

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